

Oakland Unified School District		STATE OR DIVISION
LABOR COMPLIANCE ANNUAL REPORT		April 05, 2010
(Pursuant to 29 C.F.R. 5.7 (b))		
FOR PROJECTS SUBJECT TO <b>Labor Compliance</b> AND RELATED ACTS		
ITEM		NUMBER/AMO UNT
1. Period Covered From: 03/31/2009 To: 04/01/2010		
2. Number of Prime Contracts Awarded		7
3. Total Dollar Amount of Prime Contracts Awarded		61,551.000
4. Number of Contractors/Subcontractors Against Whom Complaints Were Received		3
5. Number of Investigations Completed		3
6. Number of Contractors/Subcontractors Found in Violation		2
7. Amount of Wages found DUE 4781.90		
(a) Labor Compliance and Related Acts		4781.90
(b) Contract Work Hours and Safety Standards Act		0.00
8. Amount of Back Wages Paid 4781.90		
(a) Labor Compliance and Related Acts		\$ 0.00
(b) Contract Work Hours and Safety Standards Act		0.00
9. Number of Employees Due Wage Restitution Under the Davis-Bacon and Related Acts and Contract Work Hours and Safety Standards Act		5
10. Amount of Liquidated Damages Assessed Under the Contract Work Hours and Safety Standards Act		
11. SITE INTERVIEWS 44	12. PAYROLL REQUESTS 14	13. LETTERS 25
RESPONSIBLE OFFICER Larry D Bridges		Send To:
TITLE LCP Representative		Tess Gormley
SIGNATURE 		Executive Assistant to the Director
		Department of Industrial Relation
		455 Golden gate Avenue, 10 <sup>th</sup> Floor
		San Francisco, Ca 94102

Form FHWA-1494 (Rev. 4-98)(INF4.2, 4/8/98)	(See next page for instructions)	PREVIOUS EDITIONS ARE OBSOLETE	
<b>Contract Code</b>	<b>Project Name</b>	<b>Bid Advertisement Date</b>	<b>Prime Contractor</b>
05016	Oakland High Modernization	05/30/2009	West Bay Builders
4035	Lincoln ES - Portable Replacement	02/27/2009	RICHARD HANCOCK, INC.
7058	Life Academy Roof Replacement	11/16/2009	Petersen-Dean Roofing & Solar Systems
4035	Lincoln ES - Portable Replacement	02/27/2009	Cal Pacific Construction, Inc.
07013	Highland Fire Alarm Upgrade	04/07/2009	Brayer Electric
06001-2	Chabot Portable Replacement Increment two	08/21/2008	Arntz Builders
03039	Madison Elementary School Modernization	05/03/2008	Albay Construction Co.
<b>Violator Action</b>	<b>Problem Code</b>	<b>Problem Description</b>	
Call Log		Phone Chris with the Labor Commissioner, State of California regarding Stonehurst Elementary Focnon Inc.	
Comments		Letter from Labor Commissioner, State of California, Christopher Kim. Civil Wage Penalty Assessment. The nature of the violation of the Labor Code and the basis for the assessments are the follows: Alex Jones, individually, and business as the Three Brothers Electrical Contractors , a sole proprietorship, violated labor code 1775 for failure to pay the required prevailing rate of the pay all hours worked.	
Comments		Letter from Division of Labor Standards Enforcement. Sent to Pamila Henderson: Letter state on September 30, 2009, the Division of Labor Standards Enforcement sent a copy of the Civil Wage and Penalty Assessment to the OUSD to withhold the funds under the above-entitled contract. the parties have resolved the dispute. Accordingly, we hereby release the withholding on the funds. The Division has determined that the total amount of wages due is \$4,781.90. The Division has determined that the total amount penalties assessed under Labor Code 1775 and 1813is : \$950.00	
Comments		Letter sent out to the general contractor Foncon, Inc.regarding Notice of	

	Withholding of Contract Payments.
Comments	A copy of Notice of Transmittal from the Labor Commissioner, State of California. Enclosed a copy of Civil Wage Penalty Assessment and Audit Summary.
Comments	Letter from Sate of California Department of Industrial Relations. Supplemental order before Prehearing Conference will be held on January 14, 2010 at 1:30 p.m. by conference telephone call initiated by the Hearing Officer to the parties or counsel.
Comments	Testing Activity Entry
Comments	Received a Civil Wage and Penalty Assessment from the Labor Commissioner, State of California. For prime contractor Focon Inc. regarding sub Wilson Electric Co. The Division has determined that the amount of penalties assessed against under Labor Code section 1776 is \$ 650.00
Comments	Received check for \$13.50 for CPR sub DIV 15. Mailed records out on 3/9/2010.
Field Inspection	Visited, observed and interviewed employee Nicholas Wainwright regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Miguel A Acosta regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Marc A Glover regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Ruben Jailor Corona regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Jose E Hernandez regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Kenneth W Nelson regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Elvin L Golston regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Andrew Mercado regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee Juan R Arreguin regarding job classification and pay rate at Cox Elementary
Field Inspection	Visited, observed and interviewed employee James Handleson regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Ron N Simmons regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Dean Olsen regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Ron Simonds regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Justin Etchells regarding job

	classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Mark A Kreutzer regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee David L Carroll regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Teresa Donahue regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Montie Lockwood regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Mia L Rivas regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Lee A Wilson regarding job classification and pay rate at Oakland Mod
Field Inspection	Visited, observed and interviewed employee Enrique Castro regarding job classification and pay rate at Chabot Elementary School
Field Inspection	Visited, observed and interviewed employee Alejandro Hernandez regarding job classification and pay rate at Chabot Elementary School
Field Inspection	Visited, observed and interviewed employee Sergio Camacho regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Jeffery Cook regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Chiaki Yasuda regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Brad David regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Timothy Rayford regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Davail Rhone regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Isidro Perdomo regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Phillip Pagels regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee Jmaes Jones regarding job classification and pay rate at Chabot New Classroom & Multi Purpose Building
Field Inspection	Visited, observed and interviewed employee James F. Ray regarding job classification and pay rate at Highland Elementary re: Fire Alarm Upgrade
Field Inspection	Visited, observed and interviewed employee Wendy E Rasmussen regarding job classification and pay rate at Highland Elementary re: Fire Alarm Upgrade
Field Inspection	Visited, observed and interviewed employee Eric E Davis regarding job classification and pay rate at Highland Elementary re: Fire Alarm Upgrade

Field Inspection	Visited, observed and interviewed employee Kenneth K Koch regarding job classification and pay rate at Highland Elementary re: Fire Alarm Upgrade
Field Inspection	Visited, observed and interviewed employee Jeremy Kemode regarding job classification and pay rate at Highland Elementary re: Fire Alarm Upgrade
Field Inspection	Visited, observed and interviewed employee Kenneth Chang regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Wah Luen Tam regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Fan Pak Tang regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Mario Lung regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Trung Po Chan regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Fan Pak Tang regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Hui Hao Liang regarding job classification and pay rate at Lincoln Portable Replacement
Field Inspection	Visited, observed and interviewed employee Ramon Lopez regarding job classification and pay rate at Chabot Elementary School
Payroll Request	International Brotherhood of Electrical Workers Local No.595. Request certified payroll records for Cox Elementary Modernization Project. For sub European Quality Electric.
Payroll Request	Sheet Metal Workers, International Association. Request for CPR for Div 15 Inc. week ending 2/13/2010 and 2/28/2010 through the current date.
Payroll Request	Sheet Metal Workers' International Association. Local Union No. 104. Request for certified payroll records Div 15 Tech Inc. from 1/17/2010 through to current date.
Payroll Request	Letter sent out on 8/14/2009 request CPR for Stonehurst Elementary sub Three Brothers Electrical Contractors
Payroll Request	A request certified payroll records. From Division of Labor Enforcement Bureau of Field Enforcement. Stonehurst Elementary School; Foncon, Inc.GC.for sub Three Brother Electrical Contractors.
Payroll Request	Sheet Metal Workers' International Association Local Union No. 104 Compliance Department. Request for CPR's Div 15 Tech Inc
Payroll Request	United Union of Roofers Water proofers and Allied Workers. Request for CPR's from Omni Sheet Metal, Inc.
Payroll Request	Sheet Metal Workers' International Association request additional CPR's for time period August 2009 through February 2010.
Payroll Request	Sent letter to sub Mc Peak requesting CPR 40 with complete social security number.
Payroll Request	Sent letter to sub contractor McPeak to provide complete social security number

for all employees on payroll 37 and 38.

Payroll Request Bay Area Roofers Labor Management Trust. Request for CPR's for Premium Roofing Waterproofing.

Payroll Request Bay Area Roofers Labor Management Trust. Request for CPR's for Premium Roofing Waterproofing for Loincol Elementary School New Classroom Bldg.

Payroll Request United Union of Roofer Waterproofers and Allied Workers. Request for CPR's for Life Academy High School Replacement Project.

Payroll Request Sheet Metal Workers' International Association Local Union No. 104. Request for CPR records for Life Academy High School Roof Replacement.